

REMARKS

Claims 1-9, and 12-18 remain in the case. Claims 1, 12, 13, and 17 have been amended. Claims 10-11 and 19-20 have been canceled.

Claims 1-9 and 12-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Office action states that the claims contain subject matter which is not described in the specification, namely, the limitation "wherein said intrusion indicator is activated without simultaneously initiating an activation of a vehicle alarm system on said vehicle" which is allegedly not supported by the original specification.

Applicant respectfully requests reconsideration of the rejection based on 35 U.S.C 112, first paragraph. The specification discloses on page 6, lines 9-12 that upon receiving the intrusion signal, the RKE Fob will output an intrusion signal to the person carrying the fob. The person carrying the fob will be alerted that returning to the vehicle is not safe and may take other precautionary actions. Lines 12-15 further states that "Other precautionary actions may be to activate an audible anti-theft system (e.g., alarm or horn) on the vehicle if not already active". Emphasis is placed on the fact that the audible anti-theft system is referred to as an "other precautionary action" that may be initiated by the person carrying the fob after receiving the intrusion signal. That is, the person carrying the fob must first be notified of the intrusion by the intrusion signal, and then may activate some other precautionary action. It is a sequential process. Hence the intrusion signal is first received by the person carrying the fob and then the person takes further precautionary actions such as activating the audible anti-theft system (e.g., alarm or horn) in response to receiving the intrusion indicator. Thus, according to the original specification, activation of the intrusion signal and the activation of a anti-theft system are not simultaneous, but sequential. Moreover, the phrase "if not already active" further indicates that the audible anti-theft system may not be active, and if not active, the system would allow the person to take

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the precautionary action of activating the anti-theft system. As a result, the intrusion signal is activated without the simultaneous activation of the anti-theft system. Therefore, there is clear support provided within the specification that the intrusion signal can be activated without simultaneously initiating the activation of the vehicle anti-theft system. Although the "identical words" are not recited between the claims and the specification, a person skilled in the art can reasonably conclude from the specification that there can be a non-simultaneous activation of the intrusion signal and the anti-theft system, and therefore, the previously amended claim should not be considered new matter. Applicant has demonstrated that the specification provides enablement for the amendments of the previously presented claims. Therefore, the rejection for failing to comply with the written description under 35 U.S.C. 112 should be withdrawn.

The rejection of claims 1-4, 8 under 35 U.S.C. 103(a) as being unpatentable over Flick (U.S. Pat. No. 5,739,747) in view of Teowee et al (US 6,76,676 B2) is respectfully traversed.

Claim 1 is amended to include the limitations of claim 11 which was objected to as being dependent on a rejected independent claim but is considered allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Therefore, claim 1 is allowable.

Claims 2-4, and 8 depend from claim 1 and are therefore allowable.

The rejection of claims 5-6 under 35 U.S.C. 103(a) as being unpatentable over Flick (U.S. Pat. No. 5,739,747) in view of Teowee et al (US 6,76,676 B2) is respectfully traversed.

Claims 5-6 depend from claim 1 and are therefore allowable.

The rejection of claims 7, 10, 13, and 16 under 35 U.S.C. 103(a) as being unpatentable over Flick (U.S. Pat. No. 5,739,747) in view of Teowee et al (US 6,76,676 B2) in view of Greene (U.S. Pat. No. 6,107,914) is respectfully traversed.

Claims 7, 10, 13, and 16 depend from claim 1 and are therefore

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allowable.

The rejection of claims 9 and 17-19 under 35 U.S.C. 103(a) as being unpatentable over Flick (U.S. Pat. No. 5,739,747) in view of Teowee et al (US 6,76,676 B2) in further view of Greene (U.S. Pat. No. 6,107,914), and in further view of Attring et. al. (U.S. Pat No. 6,556,135) is respectfully traversed.

Claim 9 depends from claim 1 and is therefore allowable.

Claim 17 is amended to include the limitations of claim 20 which was objected to as being dependent on a rejected independent claim but is considered allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Therefore, claim 17 is now allowable.

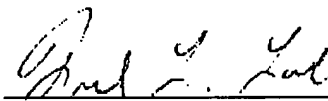
Claim 18 depends from claim 17 and is therefore allowable.

The rejection of claims 14 and 15 under 35 U.S.C. 103(a) as being unpatentable over Flick (U.S. Pat. No. 5,739,747) in view of Teowee et al (US 6,76,676 B2) in further view of Greene (U.S. Pat. No. 6,107,914) and in further view of Farukawa (U.S. Pat No. 6,243,022 B1) is respectfully traversed.

Claims 14 and 15 depend from claim 1 and are therefore allowable.

In view of the foregoing amendment and remarks, all pending claims are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,



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